

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 14-cr-20069

v.

Honorable Thomas L. Ludington

ERICH SHINDORF,

Defendant.

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**ORDER GRANTING DEFENDANT'S MOTION FOR COMPETENCY HEARING AND  
PSYCHOLOGICAL EXAMINATION, REFERRING TO MAGISTRATE JUDGE FOR  
COMPETENCY HEARING AND DETERMINING EXCLUDABLE DELAY**

On August 20, 2014, defense counsel filed a Motion for a Hearing to Determine Competency of Defendant and for a Psychological Examination to determine whether Defendant "is capable of understanding the nature and consequences[] of the proceedings against him and whether or not he will be able to rationally assist Defense Counsel in the defense of this matter under the stress of trial." ECF No. 22, Def. Mot. at ¶4. The government has stipulated that such an examination is appropriate. ECF No. 24. The request is reasonable and the motion will be granted before proceeding with the final pretrial conference, plea cutoff, or trial in this matter.

Accordingly, it is **ORDERED** that the Defendant's motion for a competency hearing and psychological evaluation (ECF No. 22) is **GRANTED**.

It is further **ORDERED** that this matter is **REFERRED** to Magistrate Judge Patricia T. Morris to arrange for an examination of the defendant as to his mental competency to stand trial and to conduct a hearing in accordance with the provisions of 18 U.S.C. § 4247(d).

It is further **ORDERED** that the time period from **August 20, 2014 until the conclusion of the competency hearing** be excluded for the purpose of computing time limits pursuant to 18 U.S.C. §§ 3161(h)(1)(F) and 3161(h)(1)(A); and that the period beginning the day after the conclusion of the competency hearing and ending with the Court's ruling on defendant's mental competency or with the lapse of 30 days, whichever occurs first, be deemed excludable delay pursuant to 18 U.S.C. § 3161(h)(1)(J).

Dated: October 3, 2014

s/Thomas L. Ludington  
THOMAS L. LUDINGTON  
United States District Judge

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on October 3, 2014.

s/Tracy A. Jacobs  
TRACY A. JACOBS